



ATTORNEY DOCKET NO.: 157096

PATENT APPLICATION

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Janos SZAMOSI

Confirmation No.: 4463

Application No.: 10/643,623

Examiner: Humera N. Sheikh

Filing Date: August 19, 2003

Group Art Unit: 1615

Title: FAST DISSOLVING TABLET

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond
☐ New fee as calculated below ☐ Supplemental Declaration
☒ No additional fee
☐ Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	31	MINUS	31	= 0	X \$50	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	x \$200	\$ 0
[]	FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				+ \$360	\$ 0
EXTENSION FEE	1ST MONTH \$120.00 <input type="checkbox"/>	2ND MONTH \$450.00 <input type="checkbox"/>	3RD MONTH \$1,020.00 <input type="checkbox"/>	4TH MONTH \$1,590.00 <input type="checkbox"/>		\$ 0
OTHER FEES						\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Please charge **\$0.00** to Deposit Account No. 50-2849 to cover the above fees. In the event any difference exists between the amount authorized to be charged and the actual charges, please charge or credit any such difference to **Deposit Account No. 50-2849**.

Respectfully submitted,

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Date: November 9, 2006

- Attach as First Page to Transmitted Papers -



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/643,623
Applicant : Janos Szamosi et al.
Filed : August 19, 2003
Title : FAST DISSOLVING TABLET
TC/A.U. : 1615
Examiner : Humera N. Sheikh
Docket No. : 157096
Customer No. : 038598

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This Response is filed in reply to an October 11, 2006, Restriction Requirement.

Claims 1-31 are pending. The claims are restricted into three Groups. Group I includes Claims 1-14, drawn to a tablet, classified in class 424, subclass 464. Group II includes Claims 15-29, drawn to a method of producing a tablet composition (fast dissolving granulation), classified in class 424, subclass 466. Group III includes Claims 30 and 31, drawn to a placebo tablet, classified in class 424, subclass 488.

Applicants provisionally elect to prosecute claim Group I, including claims 1-14.

Applicants respectfully traverse the restriction requirement.

The Office Action alleges that Group I invention is distinct from the Group II invention because Group I is drawn to a tablet, whereas the Group II tablet is a fast-dissolving tablet. Applicants respectfully submit that Group I tablet is also a fast-dissolving tablet. Specifically, claim 1 recites a tablet comprising a low melting point compound that melts or softens at or below 37°C, a water soluble excipient and an active ingredient. As noted in the specification, the low melting point compound and the water soluble excipient contribute to the fast disintegration of the tablet. See e.g., paragraph [022].

The Office Action further alleges that the Group III invention is distinct from the Group I invention because the tablet in Group III claims does not contain an active ingredient, and that Group III invention is distinct from the Group II invention because the tablet in Group III is not a fast-dissolving tablet.

Applicants respectfully submit that the Group III tablet is a fast-dissolving tablet because it comprises a low melting point compound that melts or softens at or below 37°C and a water soluble excipient. Therefore, all three Groups of claims are related to fast-dissolving tablets.

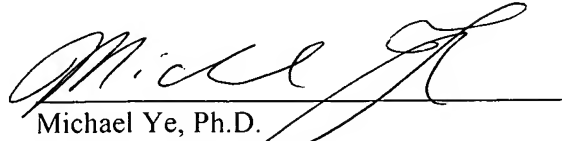
Accordingly, Applicants respectfully submit that the claims in Group I, II and III are closely related and that a search and examination of the entire application can be made without serious burden on the Patent Office. MPEP §803. The restriction is not proper. Applicants respectfully request withdrawal of the restriction requirement.

In view of the above remarks, Applicants respectfully request examination of the current application on the merits and submit that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

Date: November 9, 2006

A handwritten signature in black ink, appearing to read "Michael Ye", is written over a horizontal line.

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